

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2014

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 15, chapter 12, article 3, Arizona Revised Statutes,  
3 is amended by adding section 15-1453, to read:

4 15-1453. Eastern Arizona college; four-year degrees

5 NOTWITHSTANDING THE TWO-YEAR LIMITATION PRESCRIBED IN SECTION 15-1401,  
6 BEGINNING IN FISCAL YEAR 2009-2010, EASTERN ARIZONA COLLEGE AS OPERATED BY  
7 THE GOVERNING BOARD OF THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT MAY OFFER  
8 FOUR-YEAR BACCALAUREATE DEGREES PURSUANT TO THE FOLLOWING REQUIREMENTS:

9 1. ON OR BEFORE SEPTEMBER 15, 2008, THE GRAHAM COUNTY COMMUNITY  
10 COLLEGE DISTRICT BOARD SHALL SUBMIT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE  
11 AT A MINIMUM THE FOLLOWING INFORMATION:

12 (a) THE BACCALAUREATE DEGREE PROGRAMS THE DISTRICT INTENDS TO OFFER TO  
13 STUDENTS THE FOLLOWING FISCAL YEAR.

14 (b) THE NUMBER OF STUDENTS EXPECTED TO PARTICIPATE IN EACH PROGRAM  
15 OFFERED BY THE DISTRICT.

16 (c) AN ESTIMATE OF THE NUMBER OF 300-LEVEL AND 400-LEVEL STUDENTS THAT  
17 WILL BE SERVED BY THE DISTRICT.

18 (d) THE LOCATION OF THE CAMPUSES AND COLLEGES AT WHICH BACCALAUREATE  
19 DEGREE PROGRAMS WILL BE OFFERED.

20 (e) THE POTENTIAL IMPACT ON THE DISTRICT'S EXPENDITURE LIMITATION.

21 2. ON OR BEFORE OCTOBER 1, 2008, THE GRAHAM COUNTY COMMUNITY COLLEGE  
22 DISTRICT SHALL SUBMIT A BUDGET FOR THE DISTRICT THAT ESTIMATES A FULL-TIME  
23 EQUIVALENT STUDENT ENROLLMENT FOR 300-LEVEL AND 400-LEVEL ACADEMIC COURSES  
24 THAT WILL BE OFFERED BY THE DISTRICT.

25 3. ON OR BEFORE SEPTEMBER 15, 2008, THE GRAHAM COUNTY COMMUNITY  
26 COLLEGE DISTRICT SHALL DEVELOP PERFORMANCE MEASURES THAT SHALL BE INCLUDED IN  
27 THE STATE BUDGET.

1           4. THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT BOARD SHALL BE  
2 PREPARED TO OFFER 300-LEVEL AND 400-LEVEL ACADEMIC COURSES AT THE BEGINNING  
3 OF THE SPRING SEMESTER OF 2010.

4           5. UNIVERSITIES UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS  
5 SHALL USE THE SAME ADMISSION CRITERIA TO GRADUATE DEGREE PROGRAMS FOR PERSONS  
6 WHO HAVE BEEN AWARDED BACCALAUREATE DEGREES ISSUED BY THE GRAHAM COUNTY  
7 COMMUNITY COLLEGE DISTRICT AS USED FOR PERSONS WHO HAVE OBTAINED  
8 BACCALAUREATE DEGREES FROM TRADITIONAL FOUR-YEAR POSTSECONDARY INSTITUTIONS  
9 THAT ARE ACCREDITED BY A REGIONAL ACCREDITATION AGENCY APPROVED BY THE UNITED  
10 STATES DEPARTMENT OF EDUCATION.

11           6. THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT IS ENTITLED TO STATE  
12 AID PURSUANT TO SECTION 15-1466 AND STATE AID PER CAPITA FOR CAPITAL OUTLAY  
13 PURSUANT TO SECTION 15-1464 DURING THE FIRST AND SECOND YEARS IN WHICH THE  
14 DISTRICT OFFERS 300-LEVEL AND 400-LEVEL ACADEMIC COURSES BASED ON THE  
15 DISTRICT'S ESTIMATE OF THE FULL-TIME EQUIVALENT STUDENT ENROLLMENT IN  
16 300-LEVEL AND 400-LEVEL ACADEMIC COURSES FOR THE FIRST AND SECOND YEAR IN  
17 WHICH THE DISTRICT OFFERS 300-LEVEL AND 400-LEVEL ACADEMIC COURSES. THE  
18 GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT'S STATE AID PAYMENTS SHALL BE  
19 ADJUSTED DURING THE THIRD YEAR OF OFFERING 300-LEVEL AND 400-LEVEL ACADEMIC  
20 COURSES BASED ON ANY DISCREPANCIES BETWEEN THE ESTIMATED FULL-TIME EQUIVALENT  
21 STUDENT ENROLLMENT DURING THE FIRST TWO YEARS IN WHICH THE DISTRICT OFFERS  
22 300-LEVEL AND 400-LEVEL ACADEMIC COURSES AND THE ACTUAL FULL-TIME EQUIVALENT  
23 STUDENT ENROLLMENT FOR THOSE TWO YEARS AS DETERMINED BY THE AUDITOR GENERAL  
24 PURSUANT TO SECTION 15-1466.01.

25           7. THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT SHALL CONTINUE TO  
26 PROVIDE A PROGRAM OF TWO YEARS' TRAINING IN THE ARTS, SCIENCES AND  
27 HUMANITIES, INCLUDING ASSOCIATE DEGREE PROGRAMS, TERMINAL COURSES OF A  
28 TECHNICAL AND VOCATIONAL NATURE AND BASIC ADULT EDUCATION COURSES.

29           8. THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT FULL-TIME EQUIVALENT  
30 STUDENT ENROLLMENT SHALL BE DETERMINED AS FOLLOWS:

31           (a) DIVIDE THE TOTAL NUMBER OF ENROLLED CREDIT HOURS PER ACADEMIC YEAR  
32 IN ALL 200-LEVEL AND BELOW ACADEMIC COURSES BY THIRTY.

1 (b) DIVIDE THE TOTAL NUMBER OF ENROLLED CREDIT HOURS PER ACADEMIC YEAR  
2 IN 300-LEVEL AND 400-LEVEL ACADEMIC COURSES BY TWENTY-FOUR.

3 9. THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT SHALL NOT RECEIVE  
4 STATE AID FOR DUAL ENROLLMENT COURSES FOR NONACADEMIC COURSES.

5 10. THE GRAHAM COUNTY COMMUNITY COLLEGE DISTRICT SHALL COMPLY WITH ANY  
6 CONTRACTS AND AGREEMENTS WITH OTHER POLITICAL SUBDIVISIONS OF THIS STATE THAT  
7 ARE IN EFFECT ON THE EFFECTIVE DATE OF THIS SECTION.

8 11. TUITION FOR ALL COURSES OFFERED BY THE GRAHAM COUNTY COMMUNITY  
9 COLLEGE DISTRICT SHALL BE LESS THAN TUITION AT UNIVERSITIES UNDER THE  
10 JURISDICTION OF THE ARIZONA BOARD OF REGENTS.

11 Sec. 2. Section 15-1464, Arizona Revised Statutes, is amended to read:

12 15-1464. State aid per capita distribution for capital outlay;  
13 capital outlay fund; appropriation

14 A. In addition to the appropriation prescribed in section 15-1463,  
15 subsection A, this state shall pay to each community college district state  
16 aid for capital outlay in the following manner:

17 1. For fiscal year 1992-1993 for a community college district which  
18 had less than five thousand actual full-time equivalent students according to  
19 the most recent fiscal year actual full-time equivalent student count, the  
20 amount determined by multiplying the number of actual full-time equivalent  
21 students according to the most recent fiscal year actual full-time equivalent  
22 student count by two hundred seven dollars.

23 2. For fiscal year 1992-1993 for a community college district which  
24 had five thousand or more actual full-time equivalent students according to  
25 the most recent fiscal year actual full-time equivalent student count, the  
26 amount determined by multiplying the number of actual full-time equivalent  
27 students according to the most recent fiscal year actual full-time equivalent  
28 student count by one hundred fifty-eight dollars.

29 3. Beginning with fiscal year 1993-1994 the legislature shall adjust  
30 by the growth rate for common and high school districts as provided by law,  
31 subject to appropriation, the amount of state aid to community college  
32 districts as provided in paragraphs 1 and 2.

1           B. The basis for computing full-time equivalent students for the  
2 capital outlay per capita distribution shall be on the same basis as the  
3 computation prescribed in section 15-1466.01.

4           C. In addition to the formula to determine the appropriations  
5 prescribed in section 15-1463, subsection A and subsection A of this section,  
6 this state may pay additional amounts for capital outlay to a community  
7 college district based on requests from the district.

8           D. Appropriations for capital outlay made pursuant to subsections A  
9 and C of this section and section 15-1463 shall be made to an account  
10 designated as the capital outlay fund.

11           E. At the beginning of each fiscal year, the district board shall  
12 present to the department of administration a claim for the annual amount  
13 appropriated by the legislature and assigned to the district for capital  
14 outlay purposes. The department of administration shall draw a warrant in  
15 payment of the claim and shall transmit the warrant to the state treasurer  
16 who shall disburse the funds to the district for capital outlay purposes, to  
17 be expended as provided by law. If no community college exists, the  
18 department shall establish a fund for new future community college districts  
19 to be disbursed as needed.

20           F. Notwithstanding subsection E of this section, a community college  
21 district may request the state treasurer to disburse the monies to the local  
22 government investment pool for deposit into the district's account as  
23 established in section 35-326.

24           G. Each district has the option of using up to twenty per cent of its  
25 total capital outlay aid appropriation for operating aid purposes or taking  
26 this same amount out of the district's total operating state aid  
27 appropriation and using it for capital outlay purposes.

28           H. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, FOR THE GRAHAM COUNTY  
29 COMMUNITY COLLEGE DISTRICT, THE AMOUNT PER FULL-TIME STUDENT EQUIVALENT SHALL  
30 BE TWO HUNDRED TEN DOLLARS FOR STUDENTS IN VOCATIONAL COURSES, 100-LEVEL  
31 ACADEMIC COURSES AND 200-LEVEL ACADEMIC COURSES AND THIRTY-SIX DOLLARS FOR  
32 STUDENTS IN 300-LEVEL ACADEMIC COURSES AND 400-LEVEL ACADEMIC COURSES.

1           Sec. 3. Section 15-1466, Arizona Revised Statutes, is amended to read:

2           15-1466. State aid; eligibility; limitations

3           A. Subject to legislative appropriation, the legislature shall  
4 determine and appropriate the amount of state aid each fiscal year to each  
5 district possessing the qualifications as prescribed in this chapter.

6           B. The state shall determine the amount of state aid, as prescribed in  
7 subsection F of this section, appropriated to each district for the fiscal  
8 year prior to the fiscal year for which the state aid is being calculated.

9           C. The state shall adjust the amount of state aid appropriated to each  
10 district as determined in subsection B of this section by the growth rate  
11 referenced by section 15-901, subsection B, paragraph 2. This amount shall  
12 be appropriated to the district except as provided in subsection D of this  
13 section.

14           D. In addition to the state aid appropriated in subsection C of this  
15 section, each district qualified under this chapter shall have its state aid  
16 adjusted in an amount that reflects the growth in the full-time equivalent  
17 student count of the district calculated as follows:

18           1. Calculate the growth in the actual, audited full-time equivalent  
19 student count between the second and third most recent fiscal years prior to  
20 the fiscal year for which the state aid is being calculated for each  
21 district.

22           2. Calculate the average appropriation per full-time equivalent  
23 student for all districts by dividing the amount determined in subsection B  
24 of this section by the actual, audited full-time equivalent student count for  
25 all districts in the most recent fiscal year, EXCEPT THAT FOR THE GRAHAM  
26 COUNTY COMMUNITY COLLEGE DISTRICT, THE APPROPRIATION SHALL BE TWO THOUSAND  
27 TWO HUNDRED DOLLARS PER FULL-TIME EQUIVALENT STUDENT FOR STUDENTS ENROLLED IN  
28 VOCATIONAL COURSES, 100-LEVEL ACADEMIC COURSES AND 200-LEVEL ACADEMIC COURSES  
29 AND FIVE THOUSAND FIVE HUNDRED SIXTY-FOUR DOLLARS OR ONE-HALF OF THE  
30 FULL-TIME EQUIVALENT STUDENT STATE AID, WHICHEVER IS GREATER FOR STUDENTS  
31 ENROLLED IN 300-LEVEL ACADEMIC COURSES AND 400-LEVEL ACADEMIC COURSES. THE  
32 APPROPRIATIONS PRESCRIBED IN THIS PARAGRAPH FOR THE GRAHAM COUNTY COMMUNITY

1 COLLEGE DISTRICT SHALL BE ADJUSTED EACH YEAR TO REFLECT CHANGES IN THE  
2 CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, UNITED STATES AVERAGE, AS  
3 PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF STATISTICS.

4 3. Multiply the amount calculated in paragraph 1 of this subsection by  
5 the average appropriation calculated in paragraph 2 of this subsection. This  
6 amount shall be appropriated to the district for growth.

7 E. State aid appropriated to each district shall be allocated and paid  
8 in accordance with subsection C of this section before any funding is  
9 allocated and paid in accordance with subsection D of this section.

10 F. The total amount appropriated to each district each fiscal year in  
11 accordance with subsections C and D of this section shall serve as the amount  
12 of state aid to be adjusted in the next fiscal year. A district is not  
13 eligible for growth funding pursuant to this section unless the most recent  
14 audited full-time student equivalent count exceeds the highest audited  
15 full-time student equivalent count recorded from and after fiscal year  
16 2003-2004.

17 G. To be eligible for state aid, a district shall:

- 18 1. Be equipped with suitable buildings, equipment and campus.  
19 2. Have at least three hundred twenty full-time equivalent students  
20 attending in the district.  
21 3. Have complied with all of the requirements of the district board  
22 including budgets and curriculum.

23 H. Notwithstanding subsection E of this section, the legislature may  
24 allocate funding for growth in the full-time equivalent student count prior  
25 to or in combination with funding of the growth rate.

26 I. The total amount of state monies that may be spent in any fiscal  
27 year by a district for operating state aid shall not exceed the amount  
28 appropriated or authorized by section 35-173 for that purpose.  
29 Notwithstanding section 15-1444, this section shall not be construed to  
30 impose a duty on an officer, agent or employee of this state to discharge a  
31 responsibility or to create any right in a person or group if the discharge  
32 or right would require an expenditure of state monies in excess of the

1 expenditure authorized by legislative appropriation for that specific  
2 purpose, including any duties prescribed in an employment contract entered  
3 into pursuant to section 15-1444, subsection A, paragraph 6.

4 J. In addition to the formula to determine the state aid  
5 appropriations prescribed in this section, the state may pay additional  
6 amounts for state aid to a district based on requests included in the  
7 district's budget request.

8 K. This section does not entitle a community college operated by a  
9 qualified Indian tribe to state aid for community colleges pursuant to this  
10 chapter.

11 Sec. 4. Graham county community college district operating  
12 state aid and capital outlay state aid

13 Notwithstanding section 15-1466, Arizona Revised Statutes, as amended  
14 by this act, and section 15-1464, Arizona Revised Statutes, as amended by  
15 this act, until the total amounts calculated for the Graham county community  
16 college district pursuant to section 15-1466, Arizona Revised Statutes, as  
17 amended by this act, and section 15-1464, Arizona Revised Statutes, as  
18 amended by this act, add up to at least \$16,950,260, the Graham county  
19 community college district shall be appropriated \$16,346,560 for operating  
20 state aid and \$603,700 for capital outlay state aid. The amount calculated  
21 pursuant to section 15-1466, Arizona Revised Statutes, as amended by this  
22 act, shall continue to serve as the base amount for adjusting growth for  
23 operating state aid in the following fiscal year. Once the operating state  
24 aid and capital outlay state aid amounts add up to at least \$16,950,260, the  
25 appropriation for operating state aid for the Graham county community college  
26 district shall be determined by section 15-1466, Arizona Revised Statutes, as  
27 amended by this act.

28 Sec. 5. Appropriation; campus housing; exemption

29 A. The sum of \$\_\_\_\_\_ is appropriated from the state general  
30 fund in fiscal year 2008-2009 to the Graham county community college district  
31 for capital costs associated with campus housing facilities.

1           B. The appropriation made in subsection A of this section is intended  
2       to provide capital funding in the amount of \$25,000 per estimated bed in  
3       campus housing facilities. If the amount appropriated pursuant to subsection  
4       A of this section exceeds \$25,000 per actual bed in campus housing  
5       facilities, the Graham county community college district shall transmit the  
6       excess amount appropriated to the state treasurer on or before September 15,  
7       2009 for deposit in the state general fund.

8           C. The appropriation made in subsection A of this section is exempt  
9       from the provisions of section 35-190, Arizona Revised Statutes, relating to  
10      lapsing of appropriations."

11   Amend title to conform

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